IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 126 OF 1998

IN

SUM. SUIT NO. 4626 OF 1997

Zeus Air Services Pvt. Ltd., .. Plaintiffs

vs.

M/s. Avon Industries. .. Defendants.

Ms. Alpana Ghone i/by Shah & Sanghvi
for plaintiffs.

Mr. A.N. Singh i/by N. Dinkar Rao for
defendants.

CORAM : S.U.KAMDAR, J.

DATE : 5th September, 2005.

P.C.

. The present suit is filed for recovery of a sum of Rs. 2,0919,627 as due and payable in respect of the freight charges covered under various railway bills as stated in para. 2 of the plaint and interest at the rate of 21% of the amount of Rs.10,475/-. The defendants are served. Defendants have filed Vakalatnama. The summons for judgment is taken out. There is no reply to the summons for judgment. Since none was appearing for the

defendants on the last occasion, i.e. 18.8.2005 and on 31.8.2005 by my order dated 31.8.2005 I directed the plaintiffs to give notice to the defendants' advocate and placed the matter today on Board. The learned counsel appearing for the defendants states that they have addressed a letter to their client and informed them that the matter is fixed on Board but he has no instructions. The original documents are taken on record and marked P-1. In view of the aforesaid, suit decreed as prayed.

2. In view of the disposal of the suit, the summons for judgment does not survive. The same is disposed off accordingly.